IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 810 OF 1998

IN

SUM. SUIT NO. 2907 OF 1998

M/s. Aarti Industries
Ltd., .. Plaintiffs.

vs.

The Pharmaceutical Products
of India Ltd., .. Defendants.

Ms. Sunita Tiwari for plaintiffs.
Mr. V. Mannadiar i/by Mannadiar & Co.
for defendants.

CORAM : S.U. KAMDAR, J.
DATE : 26th SEPTEMBER, 2005.

P.C.:

. The claim in the present suit is in respect of the goods sold and delivered for the sum of Rs. 5,19,828/- with interest at the rate of 24% per annum. The company was under BIFR. Winding up of the company has been recommended. Thus, protection under section 22 of SICA is not available. The learned counsel appearing for the defendants states

that he has no instructions. There is no affidavit in reply. In that view of the matter, the summons for judgment is made absolute. There shall be a decree for the sum of Rs. 5,19,828 with further interest at the rate of 12% per annum.

2. Suit as well as the summons for judgment both disposed of accordingly. No order as to costs.

3. Refund of Court fee as per rules.